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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E JC138
DEC 12 2003
PATENT & TRADEMARK OFFICE

In re Application of:)
MICHAEL R. BOWMAN)
Application No.: 09/921,994)
Filed: August 3, 2001)
For: NOVEL EBI-3-ALT PROTEIN)
AND NUCLEIC ACID)
MOLECULES AND USES)
THEREFOR : December 11, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY

Sir:

Prior to action on the merits, Applicant wishes to clarify the record as follows:

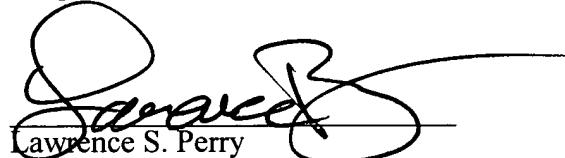
a.) Remarks

In the Advisory Action dated November 24, 2003, the Examiner questioned basis for claim 31 and so, refused to enter the November 14, 2003 Amendment.

In response, Applicant respectfully wishes to point out that an artisan of ordinary skill recognizes the claimed subject matter in SEQ ID NO:1 at specification Fig. 1, since nucleotide 17 commences a "start" codon ATG and nucleotide 595 completes the in-phase "stop" codon TGA.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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